

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

FILED
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U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

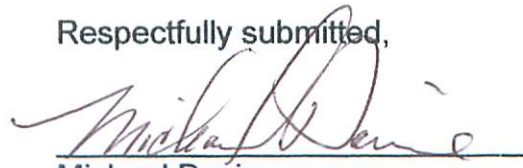
Michael Davie,)	CASE NO. 1:06 CV 240
Plaintiff,)	
vs.)	JUDGE PATRICIA A. GAUGHAN
Reginald A. Wilkinson, et al.,)	
Defendants.)	

PLAINTIFF DAVIE'S RULE 26(a)(1)
DISCLOSURE OF EXPERT WITNESS

Pursuant to Fed. R. Civ. P. 26(a)(1), a party must disclose to the other parties the identity of any witness it may use at trial to present evidence under Federal Rule of Evidence 702, 703, or 705. Plaintiff and the opposing parties' counsels of record agreed on a discovery plan. This plan consists of the defendant's production of interrogatories, production of x-rays (which has been provided) and Plaintiff's agreement to be deposed, and disclosure and report of expert witness.

Plaintiff now moves to meet the agreement to disclose the expert's identity and provide an accompanied written report. The required Written Report as forwarded to Defendants' counsel of record is hereby attached.

Respectfully submitted,



Michael Davie, pro se
11900 Shaker Blvd.
Suite 102
Cleveland, OH 44120

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing motion of disclosure of expert witness pursuant to Fed. Civil R. 26(a)(1) has been forwarded via U.S. mail on this 28th, day of July, 2008 to following:

Janet Hill Arbogast
City of Columbus -Department of Law
90 West Broad Street- Ste. 200
Columbus, OH 43215
614-645-7385
email: jrhillarbogast@columbus.gov

and;

Dierdra M. Howard (co- Counsel)
Eric Holloway (co-Counsel)
Assistant Attorney General
Corrections Litigation
150 East Gay Street, 16th Floor
Columbus, Ohio 43215
614-644-7233
emails: DHoward and EHolloway@ag.state.oh.us


Michael Davie, pro se

Leena Palomo DDS, MSD
Diplomate, American Board of Periodontology
Director of Pre Doctoral Periodontics
Department of Periodontology
Case School of Dental Medicine
Cleveland – OH

July 23, 2008

Janet Hill Arbogast
City of Columbus -Department of Law
90 West Broad Street- Ste. 200
Columbus, OH 43215
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email: jrhillarbogast@columbus.gov
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614-644-7233
emails: DHoward and EHolloway@ag.state.oh.us

Re: **Expert Witness Disclosure Pursuant to Fed.Civ.R.26(a)(1)**

Dear Counselors acknowledge the following:

(i) I am an expert witness that will express opinions in the area of Periodontology and what happened in Michael Davie's case where there was a failure to diagnose and, or treat Mr. Davie's periodontal disease, and the basis and reason for such opinion is because the Plaintiff has suffered injury as a result of Defendant's failure or refusal to diagnose or treat an apparent existence periodontal disease.

(ii) The data or other information considered by me the expert witness in forming the report consists of x-rays and records of Michael Davie inmate number 273-141, while in the custody and care of the Defendant's from April of 1993 through May of 2006 and his parole release thereafter. Also, discovery documents, any findings, reports, agreements and recommendations pertaining to periodontal treatment, the process for periodontal treatment and condition of Defendant's dental facilities.

(iii) The exhibits in this case that will be used to summarize or support my expert opinions will consist of x-rays and other related expert writings, documents compiled by the several Defendants, Dental Clinics, and Plaintiff during his incarceration within the Ohio Department of Rehabilitation and Corrections, from April of 1993 through May of 2006 the time of the Plaintiff's release from imprisonment and his parole thereafter.

(iv) My qualifications in Periodontology are as follows:

- a. Doctor of Dental Surgery(DDS), Masters of Science in Dentistry(MSD),
- b. Ohio Dental Board license no 30.021458
- c. Diplomat of the American Board of Periodontology
- d. Assistant Professor of Periodontics, Full time faculty Case School of Dental Medicine
 1. Course Director of Preventive Periodontics, predoctoral clinical course focusing on diagnosis and prevention
 2. Course Director of Surgical Periodontics, predoctoral didactic/clinical course focusing on diagnosis and surgical treatment planning
- e. Faculty of the Graduate General Practice Residency, Department of Dentistry, Section of Periodontics, St. Elizabeth Health Center
- f. Private practice limited to Periodontology

(v) I have authored several publications and abstracts for dental medical and pharmaceutical journals in the last 10 years. A few selections are given below.

1. Palomo L, Bissada NF, Liu J. Periodontal Assessment of Postmenopausal Women Receiving Risedronate. Menopause. 2005 November/December;12(6):685-90.
2. Palomo JM, Kau CH, (Bahl) Palomo L, Hans MG. Cone Beam CT in Dentistry Dentistry Today. 2006 Nov;25(11):130, 132-5.
3. Palomo L, Liu J, Bissada NF. Bisphosphonate therapy for bone loss in patients with osteoporosis and periodontal disease:clinical perspectives and review of literature Quintessence International 2006 Feb 37(2)103-7. Review.
4. Palomo L, Bissada NF, Liu J. Systemic conditions impact the periodontium: Bisphosphonate therapy. Expert Opinion in Pharmacotherapy. 2007 Feb;8(3):309-15.
5. Palomo LB, Palomo JM, Hans MG, Bissada NF. 3D Image-guided TAD Placement Protocol. Int J Comput Assist Radiol Surg Vol 2 June 2007. 424-426.


6. Hildebrand, J.C., Palomo, J.M., Palomo, L., Sivik, M., Hans, M.G. Evaluation of an ABO ObjectiveGrading System Software on Digital Casts. 2008 Feb;133(2):283-9. Am J Orthod Dentofacial Orthop.
7. Carey JJ, Palomo L, Relationship between Bisphosphonates and Osteonecrosis of the Jaw: Innocent Association or Significant Risk" Cleveland Clinic Journal of Medicine (In Press)
8. Baumgaertel, S., Palomo, J. M., Palomo, L., Hans, M. G. The Reliability and Accuracy of CBCT Dental Measurements. Am J Orthod Dentofacial Orthop. (Accepted for publication).
9. Palomo L, Palomo JM, Bissada NF. Biologic Principles for the Ortho-Perio Patient. Seminars in Orthodontics (Accepted for Publication)

(vi) I have spoken in local, national and international meetings as a specialist in my field. The list given below is limited to invited talks within the last year.

1. "Bisphosphonate Associated Osteonecrosis of the Jaws" 17th Annual Cleveland Review of Rheumatic Diseases. Ritz, Carlton Cleveland OH. (MEDICAL CE COURSE) May 20 2007.
2. "Managing Dry Mouth" National Sjogren's Society Annual Meeting. September 2007.
3. "Image Guided Protocol for TAD Placement" Int J Comp Ast Rad Surg Berlin, Germany. June 2007.
4. "Temporary Achorage Device Placement for Orthodontists" Department of Orthodontics University of Pittsburgh (DENTAL CE COURSE) October 12, 2007.
5. "Perio-Ortho Interrelationships: Clinical Cases" Jornada Cientifica, Belo Horizonte, Brazil. November 2007.
6. "Risks and Benefits of Bisphosphonate Drugs: CE Course For Physicians" St Elizabeth's Health Center Youngstown OH (MEDICAL CE COURSE) December 4, 2007.
7. "Image Guided Protocol for TAD Placement" Continuing Education Course for Practicing Orthodontists Akron OH (DENTAL CE COURSE) December 2007.
8. "Combined Anti-TNF alpha and periodontal therapies reduce the severity of Active Rheumatoid Arthritis" AADR Oral Presentation, Dallas TX April 2008.
9. "Oral Fix'ation" Forum Discussion Case Research Showcase, April 17 2008.
10. Bisphosphonate Associated Osteonecrosis of the Jaws" Forest City Dental Society, (DENTAL CE COURSE) Spring session, April 19, 2008.

(vii) The compensation to be paid for the research study, opinion, writing and expert testimony in the case of Michael D. Davie, Plaintiff vs. Reginald Wilkinson, et al Defendants is billable at \$200.00 per hour.

Respectfully submitted,


LP
Leena Palomo DDS, MSD, NO. 30.021458